

as full share of time the past year been given to this business. The sh time between now and the meeting of legislature is absolutely necessary for consideration of matters that have mutated in my absence and the po tion of messengers to not visiting ties will save time by not visiting it can not and will not be con Applications for pardon should by mail to the governor's office, they will be filed and taken in order after the time named in the order.

A SOCIAL AFFE
pleasant even

groups in this omission noteth difficulty devel ne to look for the where assessors for their work, no people of Texas are dis just and equitable in their a their official agents; that size good faith as the right rule in public as well as private af that where important responsi are imposed commensurate com should be extended. Under tutes now in force there is no pro for paying the assessors for their Article 4544a, laws of 1889, is omitted, and yet it, or some law simi to it, is manifestly essential for visi punishment upon officials and upon al per persons who shall refuse or fail to furnish required information. These omissions of the law left the department, as to its agricultural feature and other statistics, entirely dependent on the will of county and state officials to give information or not. By circular letter I duly notified the assessors of the true condition, and at the same time appealed to them to continue the work, and to look to the coming session of the legislature for their pay. I am pleased to say that of the 224 assessors in the state 187 of them complied with my request, and completed the returns and only sent them to the department for this report. Many other off assessors, also were prompt in this information requested. This materially promoted the department and are de commendation at the h gove, citizens. Just why e omitted laws, to which I as referred, were permitted to be stricken from the statute book and to become relegated to useless trash to the waste piles and rubbish heaps of obsolete legislative enactments, I am unable to surmise. Their disappearance, without legislative repealing action, is a matter I leave to the compilers to explain. I can only say and urge that, notwithstanding the compilers seem to have complied until they compiled the assessors out of their pay, those assessors who have faithfully done the work should be paid; and I sincerely hope the members of the legislature may see their way clear to incorporate a provision for their payment in the appropriation bill. It certainly could not have been at any time the intention of the legislature to exact this work of the department without providing the means and methods to perform it.

If a copy of the annual report of the agricultural department could each year be placed in each farm house in the state it would not be a misuse of the volume. It would direct the farmer's attention to matters which immediately affect him and his interests. It would show him that the state is giving vigilant attention to the important business of agriculture, and it could not otherwise than stimulate and encourage his efforts to find that they were being promoted to the greatest extent attainable under the provisions of human laws. The publication of so great a number of volumes would, however, entail an outlay of money beyond what a reasonable regard for economy might permit. But there should be a much larger assurance of these reports than that which it has been the custom to allow. The farmers represent the great body of taxpayers as well as of producers of wealth, and as they pay so largely to the conduct of the state government, they are entitled to primary attention at least in those matters of government which relate directly and exclusively to farming conditions. Holding to this conviction, I in my last report suggested that 30,000 copies of it might be printed for general distribution among the farmers, for I believed then and believe now that even more than that number could be profitably used by sending them to the farmer citizens of the state. The state printing board, however, could authorize the printing of but 2000 copies, which is the maximum number allowed by law. The law should be amended in this respect. Fourteen hundred copies out of this number were delivered to this department for

den, shipu sots. Except dealers in seal dealer. This local dealer at trust prices from the mills. Just prices, the added cost of transportation and of the local dealer's profits, are accumulated burdens which the consumer has to bear. It occurs to me that this is not by any means the correct thing to tolerate. Nor is the toleration a concession of the law, either in spirit or letter. The following correspondence serves to some extent to demonstrate the workings of this trust, and emphasizes the pressing necessity of some rigorous rule in the interests of equitable commerce between the lumber merchant and the lumber consumer.

Bremont, Robertson County, Tex., April 11, 1896.—A. J. Rose, Esq., Commissioner of Agriculture, etc.: Respected Sir—I read your report, etc., as published in the Dallas News, in which you classed all those who dealt in futures as gamblers, and you thought the penitentiary was the proper place for them. You seem to feel a deep interest in the welfare of the farmers. Now, if you desire to do something for the Gibbs' mudsillers, I would suggest you step over and invite Governor Culbertson to go with you to the lumber dealers' convention, which meets in Austin, on the 13th, and see if you can induce them to do away with the lumber trust. See if they will obligate themselves not to boycott any saw mill man that will sell a car load of lumber to a farmer who desires to build a house, that lives near a lumber yard on the railroad, and see what a combination these lumbermen have made against every man who is not in the lumber business. See if you can get these lumber dealers over Texas, who sell lumber direct to the farmers, to sell lumber for less than 50 to 75 per cent profit. Mr. Hathway is now in jail at Waco for selling cheap oil to farmers. Can't you and Governor Culbertson persuade these lumbermen to allow farmers and others who want a carload of lumber to buy it direct from the saw mills? If you and the governor will do this for the farmer, they will ever feel grateful to both of you. Of all the trusts and combinations that ever were in Texas, this lumber trust has been and is today the most unjust and tyrannical and oppressive. Go in their secret meetings, where they all fix prices to rob all those who are forced to buy of them. Respectfully,

"J. C. ROBERTS."

"Austin, Tex., April 14, 1896. Mr. J. C. Roberts, Bremont, Tex.: Dear Sir—Replying to your favor of the 11th instant, I beg to say in regard to the lumber trust of which you complain that, in my judgment, the law is full, unequivocal and positive in its denunciation of trusts. A previously existing statute was amended and most materially strengthened by an act of the last legislature, approved April 20, 1895. Governor Culbertson, in his message to the House Journal, dwelt with marked emphasis on this subject, and did his full duty in directing attention in the line of protecting consumers against imposition by trusts and combinations claiming to be supported by their chartered privileges. He does this, as you will see by reference to the above cited journal, under the significant heading 'Conspiracies Against Trade.' The law now in force subjects violators to a penalty of not less than \$50 nor more than \$500, and confinement in the penitentiary for a period of not less than one nor more than ten years, or other such fine or imprisonment. Each day during the violation of this law, constitutes a separate offense, and the violator is liable to forfeit and pay the sum of \$50 for each day of such violation. There is no mistaking the letter and the intention of the law on the subject. It provides that it shall be the duty of the attorney general or the district attorney or the county attorney to prosecute for and recover the same. And such prosecution and recovery may

"What I have said about trusts and their nefarious practices and the remedies for the wrongs they inflicted, applies with equal force to every character of conspiracy against commerce. They are multitudinous in number and all are merciless in exactions. I have particularly mentioned the lumber trust for animadversion solely because it, and it only, of them all has been directly complained of to this department. Warfare, ceaseless and relentless, should be made upon them all through the legally constituted channels and tribunals of the state until their existence shall become but a lingering, though fearful, memory of the times when, as preying parasites, they fed upon the fruits of honest industry and their unsatisfied avarice extorted at pleasure for its own emolument.

"That the sovereign power represented in the state has the right through the media of its legislatures and courts to regulate these combinations, whether they have corporate existence or are merely voluntary associations of individuals, is now a certainly established principle. Before courts can take cognizance there must be the premise of precedent legislation. There must be something for the courts to construe. This something is the legislative enactment. In this particular the place of venue is of prime importance. Hence, it is apparent that these enactments should have expression in plain and unequivocal language such as is not capable of doubtful interpretation, but is in all respects prepared to stand the test of the most searching judicial scrutiny. In speaking of these trusts and their pernicious control of the commerce of the country, it may not be out of place to here refer to the National Congress of Farmers, which was held at Indianapolis, Ind., during the early days of the month of November of this current year. That body fiercely denounced all trusts as deadly inimical to the best interest of the people. The arguments of facts is always simply unanswerable and must always be convincing. One of the speakers who addressed the congress on this subject said: 'Don't fight as one that beats the air. I have no patience whatever with those people who are always beating the air. If you have something to antagonize, out with it; specify it; make your attacks directly. It must be so, if it is to be effective. If there are abuses of any kind in legislation or in the business of the country let us fix the sting of their utterances as not to know there are trusts, and then we can trust the country to make it right. It is mischievous to denounce classes. If there are trusts let us know it, and bring legislation to bear upon them, and then we have accomplished something.' Now, that there are trusts everybody knows. That they are actually operating in the state is the experience of both producers and consumers in Texas. There are none to escape their hurtful touch. It is impossible for anyone to be so impervious to the sting of their utterances as not to know there are trusts, trusts for the purchase at depressed prices and for the sale at exorbitant valuations of nearly every generally marketable commodity. The most valuable, indeed the bulk, of these commodities are the products of farm labor. As producers farmers are forced to sell at cheap figures the fruits of their own industry, while as consumers they are compelled to buy them back at ruinously high rates, according to the schedule of prices arranged by trust manipulators. Let us bring legislation to bear on them, and then we have accomplished something.

"Texas is largely interested in cotton growing, and, in fact, yields nearly one-third of the entire crop of that staple that is produced in the United States. This being true, her people, of course, are directly involved in everything that relates to planting, growing, marketing and selling that commodity. The rules of measurement and charges that are enforced in foreign markets are important factors in determining the amount of money returns coming to the cotton

Exchange, and promptly received replies as follows:

"New York Cotton Exchange, New York, June 3, 1896. Hon. A. J. Rose, Commissioner of Agriculture, etc., Austin, Tex.: Dear Sir—Your favor of the 26th ultimo came duly to hand. I have investigated the subject and learn that the tare on a 500-pound bale of cotton in Liverpool would be 21 pounds, provided there were eight iron bands; that is to say the net weight the buyer pays for on the scales for a 500-pound bale would be 469 pounds. Yours truly,

"EDWARD R. POWERS, Superintendent."

"Cotton Exchange Building, New York, June 25, 1896.—A. J. Rose, Esq., Commissioner of Agriculture of Texas: Dear Sir—Your letter of May 26, to the bureau of statistics of the treasury department in Washington, having been referred to me by the chief clerk of the bureau of statistics for reply, I beg to say that all cotton is sold in Liverpool upon net weight, and that in order to arrive at the net weight of a bale of cotton the following deductions are made from its gross weight: Two (2) pounds for draft. The actual weight of the iron bands or ties. After making these deductions, four (4) pounds for each 112 pounds is deducted for tare or weight of bagging, and the remainder is the net weight of the cotton, upon which payment is made. Should the bands or ties weigh over 9 pounds then such excess is to be deducted for the bands. If the weight of the bagging is found to exceed four (4) pounds per 112 pounds, the buyer is entitled to make a claim for such excess. The bands are not weighed from every bale of cotton, but it is the custom to weigh only a few bales from the shipment and take their average as the average weight of the entire lot. As a matter of custom, when cotton is sold in this country to parties in Liverpool, it is almost universal practice to allow 6 per cent from the American gross weight to cover the deduction for the bands and bagging. It is also usually understood that the American shipper guarantees that the gross weight upon landing in Liverpool shall not be more than 1 per cent less than the American weight. Hoping that this information will meet your requirements, I remain yours very truly,

"ALF. R. SHEPHERSON."

"While this prevailing charge for tare is exorbitant, it is nevertheless the arbitrary imposition of foreign dealers, living and doing business in foreign lands. I am aware that a state government is powerless to correct the abuse. Retaliatory legislation in such matters is not possible for a state. I refer to this particular subject for the purpose only of bringing home to the knowledge of our cotton planters the fact of the unjust exaction to which they are subjected, and in hope that once awakened to it, the people may possibly, through congressional agency and international arrangement, effect a change which in its terms would be unjust to neither the producer nor purchaser, but fair to all.

"Referring again to the publication of agricultural and kindred statistics, I recommend monthly and quarterly issuance of bulletins, in addition to annual reports, and that these last be compiled from the bulletins instead of being prepared and published as they now are. To facilitate the seasonable publication of these bulletins, as well as to assure their reliability, all state and county officials and all common carriers of freight, whether corporate or otherwise, and all citizens should, by express statutory command, be required to furnish, under oath, such information as may be desired of them by the commissioner, and, in case of inability to furnish it to explain under oath the reason of such inability. To the commissioner should be left the selection of correspondents in every section of the state to assist him with their information as to the condition of stock, the acreage of crops and their probable yields as indicated by prospects at the time the information is returned to the department.

SEVERAL DECISIONS OF THE COURT.

IMMIGRANTS DETAINED.

New York, Dec. 23.—Of the 511 passengers that the French steamer *Patria* brought to this port today 200 were detained at Ellis Island by order of the immigration authorities. Most of the detained immigrants are Italians, who boarded the ship at Naples, on December 5.

Dr. Jenkins and others said they were the most undesirable lot of immigrants that have reached these shores in a long time.

WALKED FROM OCEAN TO OCEAN.

New York, Dec. 23.—Mrs. H. Estby and her daughter, 10 years old, the transcontinental pedestrians, completed the journey from Spokane, Wash., to this city, at 1:30 this afternoon. They left the western city on May 5, on a wager with a New York woman that they could not cross the continent in less than seven months.

ANOTHER WIFE LISTED.

Chicago, Dec. 23.—Mary Dawson McCaffery was pronounced by a jury in Judge Dunn's court yesterday to have been the legal wife of John McCaffery at the time of his death, in 1894, and was entitled to a share in his estate. McCaffery died worth about \$1,000,000, and had five wives, most of them by common law marriages. He lived with his last wife for over forty years.

Mary Dawson, it appears, was married to him in Ireland over fifty years ago. They came to America after two or three children were born. Her present home is in Virginia.

A DANGEROUS THING AFLOAT.

Helena, Ark., Dec. 23.—A section of the immense willow mattress made by the government fleet at this point broke away this afternoon at 3 o'clock and is now floating down the river. The section is 300 feet in size and may prove a dangerous obstruction to boats down the river. The mattress broke in two in the middle owing to very stiff current at the point where it was being sunk.

REFUSED TO GRANT BAIL.

Huntsville, Tex., Dec. 23.—(Special.)—The taking of evidence in the examining trial of Jo Darter was completed yesterday and Justice Harper took the case under advisement last night, with the result of refusing the defendant bail today. District Judge Smither being at home, a writ of habeas corpus was at once issued out, which came on for hearing at 1:30 this afternoon.

After hearing same, Judge Smither refused to grant bail. Notice of appeal was given by applicant to court of criminal appeals.

THE MATE WAS DROWNED.

Galveston, Tex., Dec. 23.—(Special.)—Word has been received here that the mate of the yacht *Reva* was drowned at Point Isabel last week. The information at hand is to the effect that the mate and four of the crew were crossing the bar when their boat capsized. The life-saving crew went to their rescue and saved the four men, but the mate was lost.

The *Reva* is a pleasure yacht brought down here from New York under charter for Mr. Joseph Letter, a young Chicago millionaire, who, with a party, took her to the westward on a hunting and fishing trip.

PASSED THE MILLION MARK.

Galveston, Tex., Dec. 23.—(Special.)—Receipts of cotton at this port passed the million mark today and from this time forward it will take seven figures to express the port's receipts. This day, one year ago, the receipts aggregated only \$29,544 bales, showing an increase this season to date of 364,344 bales, the exact figures for today being 1,003,908 bales.

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FAVOR RE.

Washington, Dec. 23.—(Special.)—Senator Dingley has introduced a bill to amend the act of March 3, 1879, relating to the dispatch from the eastern members of the committee on the subject of the cable.

THERE WILL.

Washington, Dec. 23.—(Special.)—Senator Hale, who has received a letter from the senator, is preparing to ask the Senate to pass the bill.

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